

Notice of Allowability

Application No.

09/739,335

Examiner

Christopher S. McCarthy

Applicant(s)

KAWAI ET AL.

Art Unit

2113

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 7/19/2004.
2. ☒ The allowed claim(s) is/are 1-4, 6-40 renumbered as 1-39.
3. ☒ The drawings filed on 19 December 2000 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Byrne P. Bongz
Primary Examiner
AU 2114

DETAILED ACTION

Examiner's Amendment

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Larry Nixon, Reg.#25,640 on 1/20/2005.

The application has been amended as follows:

Claim 1 is amended to change the word "central" to "control" on line 12 of claim 1, so as to read "time in the various control operations during normal operations of the operation means.

Claims 33, 34 and 35 have been amended to change the phrase "at all times" to the phrase "at idle time" so to read the limitation as "wherein said checking step performs non-numeric checking at idle time in the various control operations during normal control operation".

Reasons for Allowance

2. The following is an examiner's statement of reasons for allowance: When read as a whole, claims 1, 21, 27, 28, and 33-36, are allowable with respect to the following limitations:

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With respect to claim 1, the primary reason for allowance is the limitation of wherein the non-numeric checking means performs non-numeric checking at idle time in the various control operations during normal operation of the operation means.

With respect to claim 21, the primary reason for allowance is the limitation of resetting means for resetting the operation means when the existence of the non-numeric is determined by the non-numeric checking means during normal operation of the operation means.

With respect to claim 27, the primary reason for allowance is the limitation of The electronic control unit as in claim 1, further comprising: a watchdog circuit for monitoring a watchdog clear signal periodically produced from the operation means and outputting a reset signal to the operation means each time the periodicity of inversion of the watchdog clear signal is lost, wherein the operation means discontinues inversion of the watchdog clear signal when the existence of the non-numeric is determined by the non-numeric checking means.

With respect to claim 28, the primary reason for allowance is the limitation of resetting means for resetting the operation means during normal operation of the operation means, when the checking means determines the existence of the non-numeric data in the memory means.

With respect to claim 33, the primary reason for allowance is the limitation of wherein said checking step performs non-numeric checking at idle time in the various control operations during normal control operation.

With respect to claim 34, the primary reason for allowance is the limitation of resetting the control operations when the existence of non-numeric checking during normal control operations.

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With respect to claim 35, the primary reason for allowance is the limitation of monitoring a watchdog clear signal periodically produced from the control operations and resetting the control operation means each time the periodicity of inversion of the watchdog clear signal is lost, discontinuing inversion of the watchdog clear signal when the existence of the non-numeric is determined by the non-numeric checking step.

With respect to claim 36, the primary reason for allowance is the limitation of resetting the control operations during normal operation, when the checking step determines the existence of the non-numeric data in the memory.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher S. McCarthy whose telephone number is (571)272-3651. The examiner can normally be reached on M-F, 9 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Beausoliel can be reached on (571)272-3645. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

csm

January 17, 2005